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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,798	06/05/2001	Ashvinkumar J. Sanghvi	MS1-693US	5525

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EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT PAPER NUMBER

2154

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/875,798

Applicant(s)

SANGHVI ET AL.

Examiner

Mohammad A Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-24 are presented for examination.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/13/2004 has been entered.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 24 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains

subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no written description provided for the claimed limitation "the state represent a location in geographic region".

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Natarajan et al. (6,505,244) (hereinafter Natarajan) in view of by Shanumgam et al. (6,708,187) (hereinafter Shanumgam)

7. As per claim 1, Natarajan discloses a method comprising:

A plurality of devices configured (by definition configuration means the particular arrangement or pattern of a group of related things, col 8,

lines 21-22) to support feedback based adaptive network (204 B, fig 2, col 8, lines 16-20, i.e. routers are group of router);

at least one event-handling policy (modular, figure 2 element 254, col 14, lines 51-52), wherein the assigned policy is associated with each of the plurality of devices (figure 2, element 254, col 14, lines 33-50); and

evaluating a current state of each device (figure 17, element 1718) before the assigned policy (figure 17, element 1728) is applied to the device (figure 17, col 31, lines 35-67). Natarajan explicitly does not teach assigning a plurality of devices to a group, assigning event-handling policies to the group, assigned policy in the group. However, assigning, grouping, and evaluating are very well known in the art of software development, in many cases assigning, grouping, and evaluating are part of the policy based network system configuration. Shanumgam, for example discloses assigning a plurality of devices to a group (col 5, lines 34-46), assigning event-handling policies to the group (col 5, lines 40-46), assigned policy in the group (col 5, lines 40-46). It would have been obvious to one of the ordinary skill in the art at the time invention was made to combine the teachings of Natarajan and Shanumgam. The motivation would have been to have a unified policy management system with a remotely situated policy enforcers.

8. As per claim 10, the claim is rejected for the same reasons as claim 1, above. In addition, Natarajan discloses an event log configured to store event data (data store, figure 2, element 252, col 13, lines 45-57); and

a management module coupled to the group of devices and the event log (ADMIN, figure 2, element 260,262,252, col 19, lines 1-16), wherein a current state of each device in the group of devices is evaluated by the management module (decision making, col 14, lines 5-20) before the event-handling policy is applied to the device (figure 6 and 7, col 19, 1-16, col 14, lines 34-50).

9. As per claim 18, the claim is rejected for the same reasons as claim 1, above. In addition, Natarajan discloses identifying at least one event-handling policy (added, figure 2 element 254, col 14, lines 33-35) associated with the group of devices (module, figure 5C, element 254, col 14, lines 51-52), wherein the event- handling policy defines how devices are configured;

10. As per claim 2, Natarajan discloses evaluating a current state of each device determines whether each device is currently a member of the group (col 14, lines 33-50, it is implied in the tree structure children have only one parent).

11. As per claim 3, the claim is rejected for the same reasons as claim 1, above. In addition, Natarajan discloses determining whether a particular device is currently a member of the group (figure 5C, element 254, col 14, lines 5-20); and

applying the assigned policy to the particular device if the particular device is currently a member of the group (col 14, lines 33-35).

12. As per claims 4 and 12, Natarajan discloses each device is assigned at least one additional policy that is not assigned to the group (col 14, lines 51-56).

13. As per claims 5 and 19, the claim is rejected for the same reasons as claim 1, above. In addition, Natarajan discloses a particular device is assigned to multiple groups (modular, col 14, lines 33-50).

14. As per claims 6 and 13, Natarajan discloses the event-handling (figure 2, element 254) policy defines how the device is configured (col 8, lines 27-38).

15. As per claims 7, 14 and 20, Natarajan discloses the event-handling (figure 2, element 254) policy identifies the types of events that are

provided to each device (col 10, lines 40-50).

16. As per claim 8, Natarajan discloses the method is implemented by a management module (ADMIN, col 19, lines 1-15).

17. As per claim 9, Natarajan discloses One or more computer-readable memories (cache, col 8, lines 52-59 and col 12, lines 46-51) containing a computer program that is executable by a processor to perform (col 12, lines 46-59).

18. As per claim 11, Natarajan discloses a plurality of groups of devices are coupled to the management module (figure 2, element 254,260, col 19, lines 1-19).

19. As per claim 15, Natarajan discloses the apparatus is part of an enterprise computing system (figure 2, col 7, lines 44-53).

20. As per claim 16, Natarajan discloses the management module receives event data generated by a plurality of event providers (figure 2, element 260, 262, 254, 270, col 19, lines 1-19).



21. As per claim 17, Natarajan discloses the management module determines whether a particular device is currently a member of the group before the event-handling policy is applied to the device (col 19, lines 1 -47, it is implied during the registration process).

22. As per claim 21, the claim is rejected for the same reasons as claim 1, above. In addition, Natarajan discloses

determining states of systems in an enterprise (decision making, col 14, lines 5-19);

assigning the systems to groups based on rules associated with the groups and the states of the systems (decision making is based on rules and control parameters, col 14, lines 5-26);

reevaluating the states of each system in the particular group (policy is decision tree, col 14, lines 5-26);

if the states are valid according to the rules associated with the particular group (col 14, lines 5-26 and lines 33-50), applying the policies to the systems in the particular group (added or deleted, col 14, lines 5-26 and lines 33-50).

23. As per claim 22, Natarajan discloses if the states of a particular system in the particular group is not valid (decision tree, col 14, lines 33-50),

updating the particular group to delete the particular system (added or deleted, col 14, lines 33-50); and  
applying the policies to the systems in the updated group (added or deleted, col 14, lines 33-50).

24. As per claim 23, Natarajan discloses creating an event log associated with the particular group (network elements, col 7, lines 11-30); and maintaining information about the states of the systems in the particular group in the event log (col 7, lines 16-19).

25. As per claim 24, Natarajan discloses the states represent at least one of a version of an operating system, a location in a geographic region, a configuration of the system, presence of a particular hardware item, or capacity of a particular hardware item (Network elements includes hardware and software, office interprets an operating system as a software and attributes of the configuration file, col 8, lines 4-25 and col 19, lines 25-28).

### ***Response to Arguments***

26. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS

A handwritten signature in black ink, appearing to read "N. E. Hachy". The signature is written in a cursive, flowing style with a long, sweeping tail on the last letter.